

SETTLEMENT OF INDUSTRIAL DISPUTES IN INDIA
WITH SPECIAL REFERENCE TO
INDUSTRIAL AWARDS

VOL. I

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**SETTLEMENT OF INDUSTRIAL DISPUTES IN INDIA
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PREFACE

The object of the present work is to analyse the industrial awards of Industrial Tribunals and Courts in India so as to bring to light the principles and policies evolved therein. The study however does not aim at presenting an elaborate case law on various issues of disputes, emphasis being laid on the economic disputes and the policy adopted therein. The details of legal technicalities have not been made an issue and the thesis is kept within the precincts of Economics only. To have a proper frame-work the whole system of settlement of industrial disputes in India is studied, though no normative conclusions are drawn as to whether we should have collective bargaining or compulsory adjudication which itself constitutes a problem to be studied exclusively.

As all the relevant data from other States were not accessible, the study refers mainly to Bombay State. Only a few important awards from different States which have contributed or contradicted to the general policy adopted by the Tribunals could be studied. The study covers a period of twelve years from 1947 to 1958; it could however not be made up to date within this limited period of Ph.D. Degree course. The Supreme Court's decision of 1959, being the most important decision during the last four years due to the interest it has aroused of late into the problem of bonus payment to industrial workers, is appended to the thesis.

The thesis is divided into three parts. Part One gives the necessary theoretical background and describes the statutory system of settling industrial disputes in India with particular reference to the working of the industrial disputes settlement machinery in Bombay State. Part two analyses the awards of Industrial Tribunals and Courts on various issues of industrial disputes in the background of the prevailing practices in industries on voluntary basis. To have a comparative view point a similar system, though more rigorous, of compulsory adjudication prevailing in Australia is studied. The data on industrial awards of the Australian Courts are drawn from secondary sources as a study of the original reports was not feasible. Part three summarises the entire treatment of the subject, the system of industrial disputes settlement and the principles considered and policies evolved by the Industrial Tribunals for settling industrial disputes.

Having covered all the important issues of disputes, and the nature of the subject requiring frequent references to the awards, the thesis has become rather bulky and to make it handy is presented in two volumes. However this could be only a very modest attempt to treat a subject of such wide implications. It is submitted with due apology to the experts in case law, who may find some gaps. As mentioned before, the object of this study is confined to trace the policy evolved in the industrial awards.

Acknowledgment

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GLOSSARY

I.D.Act, 1947	Industrial Disputes Act, 1947.
B.I.R.Act, 1946	Bombay Industrial Relations Act, 1946.
I.D. (Appellate Tribunal) Act, 1950	Industrial Disputes (Appellate Tribunal) Act, 1950.
L.A.T.	Labour Appellate Tribunal.
B.G.G.	Bombay Government Gazette.
I.C.R.	The Industrial Court Reporter, Bombay. Citation is adopted from the Reporter (the year of the volume preceding the abbreviated name of the Reporter and the page number).
L.L.J.	Labour Law Journal. Citation is the same as in the Journal (the year and the volume number in Roman numeral followed by the abbreviated name of the Journal and the page number).
C.A.R.	Commonwealth Arbitration Report
C.L.R.	Commonwealth Law Report.
Q.G.G.	Queensland Government Gazette
W.A.I.G.	Western Australian Industrial Gazette.

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